

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2005 SEP 13 12 PM 02

ROBERT J. HARRINGTON, *et al*

Plaintiffs,

v.

DELTA AIRLINES, *et al*,

Defendants.

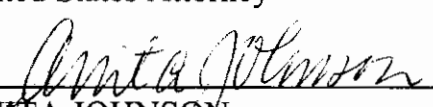
CIVIL NO.  
04-12558-NMG

**FEDERAL AVIATION ADMINISTRATION'S MOTION TO DISMISS**

Pursuant to Rule 12(b), Federal Rules of Civil Procedure, for the reasons set forth in the accompanying memorandum, the Federal Aviation Administration requests that this Court dismiss the Complaint as against it.

Respectfully submitted,

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Certification of Service

I hereby certify that I have served the foregoing upon all counsel of record, by first class mail, postage prepaid, on this 30<sup>th</sup> day of September 2005.

  
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